

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GARDEN CITY BOXING CLUB, INC.

Plaintiff

07 CV 8077

-AGAINST-

NEW MILLENIUM SEAFOOD CORP.
d/b/a NEW MILLENIUM SEAFOOD
and ANGEL P. ALMANZAR

**AFFIDAVIT FOR JUDGMENT
BY DEFAULT**

Defendant

-----X

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Paul J. Hooten, being duly sworn, deposes and says:

I am a member of the Bar of this Court and am associated with the firm of Paul J. Hooten & Associates, attorney for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

1. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiffs application for the entry of a default judgment against defendant.

2. This is an action to recover the unauthorized exhibition of the telecast of the September 18, 2004, boxing match between Oscar De La Hoya and Bernard Hopkins by the defendant. See attached summons and complaint attached hereto as Exhibit "A".

3. This action was commenced on September 14, 2007 by the filing of the summons and complaint. A copy of the summons and complaint was served on the defendant New

Millenium Seafood Corp. d/b/a New Millenium Seafood on October 25, 2007 by service on Carol Vogt, Clerk authorized to accept in the office of the Secretary of State of New York. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired.

4. This action seeks judgment in the amount of \$20,000.00, plus interest at 9% from September 18, 2004, amounting to \$6,150.00, plus costs and disbursements of this action in the amount of \$470.00, amounting in all to \$26,620.00.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: Mt. Sinai, New York
March 3, 2008

/s/ Paul J. Hooten
Paul J. Hooten (PJH9510)

Sworn to before me this
3rd day of March, 2008

/s/ Cheryl E. Lorefice
Notary Public

Cheryl E. Lorefice
Notary Public, State of New York
No. 4999823
Qualified in Suffolk County
Commission Expires August 3, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
GARDEN CITY BOXING CLUB, INC.

Plaintiff

07 CV 8077

-AGAINST-

NEW MILLENIUM SEAFOOD CORP.
d/b/a NEW MILLENIUM SEAFOOD
and ANGEL P. ALMANZAR

STATEMENT OF DAMAGES

Defendant

-----X

Amount of judgment \$20,000.00

Interest at 9% from September 18, 2004 through January 2008 \$ 6,150.00

Costs and Disbursements:

Clerk's fee \$ 350.00

Process Server fee for service \$ 120.00

Total as of February, 2008..... \$26,620.00

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GARDEN CITY BOXING CLUB, INC.

Plaintiff

07 CV 8077

-AGAINST-

NEW MILLENIUM SEAFOOD CORP.
d/b/a NEW MILLENIUM SEAFOOD
and ANGEL P.. ALMANZAR

CERTIFICATE OF SERVICE

Defendant

-----X

I certify that a copy of the Default Judgment, Affidavit for Judgment by Default, and
Statement of Damages was sent via U.S. Postal Service, postage prepaid, first class mail,
addressed to the following on March 3, 2008:

New Millenium Seafood Corp.
d/b/a New Millenium Seafood
2108 Amsterdam Avenue
New York, NY 10032

By: /s/ Paul J. Hooten
Paul J. Hooten, Esquire
Attorney for Plaintiff
5505 Nesconset Highway, Suite 203
Mt. Sinai, NY 11766
Telephone (631) 331-0547